

The Honorable Timothy W. Dore

Chapter 7

Hearing Date: December 6, 2013

Hearing Time: 9:30 AM

Hearing Location: US Courthouse /Seattle, WA

Response Due: November 29, 2013

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

IN RE:

Thomas Killion and Nicole Nelson,

Debtors.

Case No. 13-10561-TWD

Chapter: 7

**SUPPLEMENTAL DECLARATION
OF JEFF FOODY IN SUPPORT OF
RESPONSE TO TRUSTEE'S
MOTION FOR ORDER
APPROVING SALE**

I, Jeff Foody hereby declare as follows:

1. I am the Vice President of Reverse Mortgages Northwest and I have personal knowledge pertaining to the information in this supplemental declaration.

2. I am filing this Supplemental Declaration to correct errors in my original declaration that was signed on Wednesday, November 27, 2013, the day before Thanksgiving.

3. Last Wednesday, I reviewed the declaration that I approved and signed off on via fax, due to computer issues at my office. Our internet service provider crashed for a few hours in the middle of the afternoon and all of our reverse mortgage origination software is web-based. We were unable to access the Killion file without internet access in our office and unable to access e-mail.

4. As I stated in my original declaration, Nicole Nelson is the owner on title for the Residence, but she does not meet the age requirement for the FHA's Home Equity Loan

SUPPLEMENTAL DECLARATION OF JEFF FOODY IN
SUPPORT OF RESPONSE TO TRUSTEE'S MOTION FOR
ORDER APPROVING SALE - 1

HENRY, DeGRAFF & McCORMICK, P.S.
1833 N 105TH ST, SUITE 200
SEATTLE, WASHINGTON 98104
telephone (206) 330-0595
fax (206) 400-7609

1 Conversion program (Reverse Mortgage). However, her husband Thomas Killion does meet the
2 requirement.

3 5. In my original declaration concerning Thomas Killion's age, that part of the
4 declaration included incorrect information regarding his age and the requirements for the
5 Reverse Mortgage program due to our computer system issues. The computers were down when
6 I approved the declaration sent over by the debtors' attorney. At that time, neither I nor Matt
7 Dunn (the loan officer working on the debtors' file) had access to our ReverseVision Operating
8 system that would have confirmed the exact details of the debtors' loan situation, their ages, and
9 other details. In short, I did not realize there was an issue concerning his age in my declaration.
10 If I had realized, I would have corrected that fact in my original declaration and would have
11 clarified the age requirements for the Reverse Mortgage program.

12 6. In any case, Nicole Nelson will have to quit claim deed the house to her husband
13 Thomas Killion so that it can be listed as his sole and separate property to meet the FHA
14 requirements of the Reverse Mortgage.

15 7. The Reverse Mortgage program also requires a counseling certificate from a
16 licensed counselor or lawyer to inform Nicole Nelson about the details of this transaction and her
17 risks associated with quit claiming her home to her husband. It is my understanding that Nicole
18 Killion met with a lawyer today to complete this last requirement and I expect to receive the
19 signed notification I need for my file shortly.

20 8. Lastly, I want to clarify that the debtors qualify for this Reverse Mortgage and we
21 are just waiting for the court order to allow us to go forward with the quit claim deed and the
22 loan transaction.

23 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
24 CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

25 DATED this December 4, 2013

26 
27 Jeff Foody